

YOUTH SERVICES POLICY

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| Title: Electronic Monitoring Program (EMP) Next Annual Review Date: 10/31/2015 | Type: C. Field Operations Sub Type: 2. Security Number: C.2.24 |
| | Page 1 of 11 |
| References: ACA Standards 2-7132, 2-7134, 2-7135, 2-7137, 2-7143, 2-7154, 2-7155, 2-7156, 2-7158, 2-7215 (Juvenile Probation and Aftercare Services); YS Policy Nos. A.2.24 "Staff Development and Training Plan", B.2.2 "Youth Classification System and Treatment Procedures", B.2.8 "Victory Treatment Unit (VTU)", B.2.13 "Secure Care Early Release", B.5.1 "Youth Code of Conduct – Secure Care", B.7.2 "Post- Secondary Educational Program and Skills Based Incentive Program", C.2.1 "Escapes, Runaways, Apprehensions, and Reporting", C.4.1 "Furlough Process and Escorted Absence", D.10.4 "Community Supervision Classification System" | |
| STATUS: Approved | |
| Approved By: Mary L. Livers, Deputy Secretary | Date of Approval: 10/31/2013 |

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To set forth policy and procedures regarding the use of electronic monitoring by providing the most appropriate services to youth in the custody of or under the supervision of YS in the least restrictive environment, always being cognizant of public and youth safety

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Undersecretary, Chief of Operations, Deputy Assistant Secretary, Regional Directors, Facility Directors and Regional Managers. Facility Directors and Regional Managers shall ensure that procedures are in place to comply with the provisions of this policy.

IV. DEFINITIONS:

Classification System for Community Supervision – The process which identifies each youth's risk with an initial assessment tool; provides an "Individualized Service Plan" (ISP) to address the youth's needs; reassesses the youth's compliance; reviews the ISP; and utilizes agency resources in an efficient and productive manner pursuant to YS Policy No. D.10.4.

Classification System for Secure Care Facilities - The process which determines assignment to a custody level, program participation within available services, and assignment to the most appropriate facility, pursuant to YS Policy No. B.2.2.

Home Confinement / House Arrest / Home Incarceration - A legal confinement of an individual to a residence, rather than a detention center or secure care facility.

Electronic Monitoring Program (EMP) - The use of electronic technology to monitor the movements of a youth.

Juvenile Electronic Tracking System (JETS) - The centralized database utilized to track all youth under YS supervision or in YS custody and to record all case record activity.

Multidisciplinary Treatment Team – A team comprised of the youth's Case Manager, a Social Services Supervisor, the housing unit Group Leader or Assistant Group Leader, the Juvenile Justice Specialist (JJS) that supervises the youth, the youth's Probation and Parole Officer/Juvenile (PPO/J) (or a representative), a representative from the school (special education teacher if youth is receiving SSD #1 services), the contracted mental health provider (if applicable), a member of the medical staff who is familiar with the youth if the youth is receiving on-going medical treatment, a recreation representative (or qualified representative if unavailable), and the youth. The youth's family shall be encouraged to attend as well.

Passive GPS - Includes radio frequency receiver, tracking unit and a transmitter.

Reintegration/Service Plan (RSP) – A plan which specifies problem need areas already identified by the initial or latest SAVRY reassessment conducted by CBS. The goals, objectives, and the methods used to attain them while the youth is in secure care shall be updated during intake, including the role of the youth and staff. Development of this plan is accomplished through review of the youth's SAVRY, the youth's record, and is a collaborative effort between the youth's Case Manager, the PPO/J and the youth.

Victory Treatment Unit (VTU) - A housing unit located at Swanson Center for Youth (SCY) with individual rooms designed to house youth who require a more restrictive setting.

V. POLICY:

It is the Deputy Secretary's policy that electronic monitoring shall be used to enhance community supervision as an alternative to removing youth from their homes by allowing youth to remain in the community on probation or parole.

In addition, electronic monitoring shall be used in YS secure care facilities to monitor youth with past histories of runaway or escape behaviors from secure placement, non-secure care placement, or from their parent/guardian, when participating in off-campus programs.

The primary objective of the EMP in the community setting is to provide a graduated sanction for youth on probation, parole, or in custody in the least restrictive setting. The secondary objective is to provide for the availability of secure beds for more serious and violent youth by placing lower risk youth in the community under close supervision.

The primary objective for EMP in secure care facilities is to monitor youth with runaway or escape histories when youth participate in an escorted absence, a furlough, or the post-secondary educational program or skills based incentive program.

The EMP shall be installed on youth and monitored by facility Control Center staff for the off-campus programs as outlined above, with the exception of furlough participation. The youth's assigned PPO/J shall arrange and monitor youth furloughs.

It is imperative for both public safety and the credibility of the EMP that there be immediate detection of and response to violations. EMP services shall be capable of providing 24-hour monitoring with the capability of verifying a violation and contacting the appropriate YS personnel when a violation occurs.

Procedures for actual escapes, runaways and apprehensions are outlined in YS Policy No. C.2.1.

VI. PROCEDURES FOR COMMUNITY SUPERVISION:

Allowing a youth to remain in the community may pose a risk to public safety; therefore, care must be taken to ensure that youth assigned to the EMP are appropriate.

A. Case Planning

Prior to a youth being placed in the EMP, the Probation and Parole Officer/Juvenile (PPO/J) shall meet with the Probation and Parole Supervisor (PPS) to discuss the youth's needs upon returning to or remaining in the community, and to make a determination about the youth's placement in the EMP. The "Individual Service Plan" (ISP) shall be updated to include the type of program utilized, if applicable.

B. Enrollment

If the consensus of the case staffing is to enroll the youth in the EMP, the following steps shall occur:

1. The PPO/J shall document approval from the PPS in a narrative with the Significant Event noted as "Special Condition" in JETS.
2. The PPO/J or designee shall complete the "EMP Enrollment-Removal-Schedule Change Form" in JETS.
3. The PPO/J or designee shall add the enrollment information to the vendor website at <http://bi.com/> and forward the request to the vendor.
4. The PPO/J shall verify that the youth's home phone does not have privacy manager features such as party-lines, voice mail, caller ID, call block, call waiting, call forwarding, cordless phones, or answering machines.
5. The PPO/J shall notify the youth and the youth's parent/guardian that they must be home for the EMP equipment installation.
6. The PPO/J shall verify that the EMP equipment was installed by the vendor.

Once the EMP equipment has been installed, the PPO/J shall meet with and explain all the conditions and sanctions of the EMP to the youth and the youth's parent/guardian. The PPO/J shall ensure that the "Youth Participation Agreement Form" located in JETS is completed and signed by the youth, the parent/guardian and the PPO/J. The hard copy with signatures shall be maintained in the youth's case record.

Youth enrolled in the EMP shall be required to do the following:

1. Observe the designated curfew or house arrest;

2. Maintain or seek employment, attend school, and/or attend or obtain required treatment services as directed by the judge or PPO/J, based on the youth's ISP;
3. Maintain electrical and compatible telephone services at home;
4. Make no attempt to remove or tamper with the monitoring equipment or telephone;
5. Report any equipment malfunction to the PPO/J immediately;
6. Report in person as directed by the court or PPO/J; and
7. Obey all local, state and federal laws and ordinances.

Youth shall be restricted to their residence when not at work, school, training, treatment or any specific place that is authorized by the court or PPO/J.

Typically, youth enrolled in the EMP begin to show improvement within 90 days; therefore a youth shall not be enrolled in EMP more than 90 days unless a case staffing is held to determine the need to remain or if a more restrictive sanction is warranted. Approval by the PPS shall be documented on a "Special Condition" case narrative by the PPO/J within 72 hours of approval.

If the youth will not continue in the EMP, the PPO/J shall complete the "EMP Enrollment – Removal – Form" in JETS and notify the vendor to discontinue monitoring. The PPO/J shall verify that the EMP equipment was retrieved and document the removal of EMP services on a narrative with the "Significant Event" noted as a "Special Condition" within 72 hours of the request for removal.

C. Non-Compliance

In the case of a minor non-compliance violation, recommendations could include a verbal warning by the PPO/J, increased visits, or graduated sanction to a more restrictive program/ setting. Examples of minor non-compliance include the following:

1. Numerous unexcused curfew infractions;
2. Several unexplained curfew violations; or

3. Consistently being out of range of the unit for brief period of times, etc.

Documentation of efforts and resolution/actions shall be made on a "Special Condition" case narrative by the PPO/J within 72 hours of the violation.

In the case of a major non-compliance violation, the PPO/J shall attempt to make a phone or personal contact with the youth within 24 hours of being notified of the violation to determine the reason for non-compliance. Examples of major non-compliance include the following:

1. Cutting off the band;
2. Absconding supervision; or
3. Committing a new offense, etc.

A case staffing shall be held in all instances where a major non-compliance infraction has occurred. Depending on the reason for the infraction, recommendations for possible sanctions could range from a verbal warning by the PPO/J, a "Contempt of Court" being filed, to a more restrictive setting.

Documentation of the efforts and resolution/actions shall be made on a "Special Condition" case narrative by the PPO/J in JETS within 72 hours of the violation.

VII. PROCEDURES FOR SECURE CARE FACILITIES:

- A. Allowing a youth in a secure care facility with an escape or runaway history to be escorted for furloughs and/or other off-campus absences, etc. may pose a risk to public safety. However, utilizing the EMP in order to allow for public safety and also meet the individual needs of youth, electronic monitoring may be utilized under these circumstances for specific youth with escape or runaway histories.
- B. Prior to a youth being placed in the EMP, an initial case staffing shall be conducted upon intake pursuant to YS Policy No. B.2.2, in order to determine the appropriate housing unit assignment for the youth. The youth's "Reintegration/Service Plan" (RSP) shall be developed to include all need areas and types of service utilized in the facility to address the youth's individual needs.

A youth's history of runaway and escape shall be discussed during the initial case staffing in order to determine if the youth meets the criteria for the EMP under the situations listed above.

The criteria for the placement in the EMP consist of the following:

1. The youth's history of runaways or escapes to include no more than as noted from the following:
 - a. Parent/guardian/mentor home [2 (two) or more];
 - b. Non-secure placement [1(one) or more]; or
 - c. Secure care facility [1 (one)].
2. Knowledge of the youth's plan to escape or that the youth plans to escape.

C. Enrollment

If the consensus of the initial case staffing is to enroll the youth in the EMP, the following steps shall occur:

1. The Control Center staff shall complete the "EMP Enrollment-Removal-Schedule Change Form" in JETS for approval by the Facility Director prior to implementation.
2. Following the Facility Director's approval, the Control Center staff shall add the enrollment information to the vendor website at <http://bi.com/> and forward the request to the vendor.
3. The youth's Case Manager shall notify the youth and the parent/guardian that the youth will be placed on the EMP during off-campus absences, and explain all the conditions and sanctions of the EMP to the youth.
4. Once the vendor contacts the Control Center to advise that the youth has been added to the EMP, trained Control Center staff shall install the EMP equipment on the youth prior to the youth leaving for off-campus absences, and the youth's Case Manager shall meet with the youth to explain all the conditions and sanctions of the EMP. Youth enrolled in the EMP shall be required to do the following:
 - a. Make no attempt to remove or tamper with the electronic device;

- b. Make no attempt to leave the prescribed area designated by the system in an attempt to leave the sight of staff; and
 - c. Make no attempt to be out of the range of the designated area within the sight of staff.
 - 5. The Case Manager shall ensure that the “Youth Participation Agreement Form” located in JETS is completed and signed by the youth and the Case Manager. The hard copy shall be placed in the youth Master Record under Clip VI.
- D. A youth’s enrollment in the EMP shall be reviewed every 90 days at the quarterly multidisciplinary treatment team staffing or as necessary due to a “Code of Conduct Violation”. A recommendation shall be made by the Multidisciplinary Treatment Team during the quarterly staffing, which shall include the youth’s assigned PPO/J and the youth’s parent/guardian, as to whether the youth should remain in the EMP for future off-campus absences.
- If the decision is made to remove the youth from the EMP, trained Control Center staff shall complete the “EMP Enrollment - Removal Form” in JETS for approval by the Facility Director prior to notifying the vendor to discontinue monitoring. If approved, once the device has been deactivated, it shall be inventoried and stored pursuant to the procedures in Section IX below.
- E. If a youth is removed from the EMP and commits a “Code of Conduct Violation” for escape, attempted escape or aggravated/unauthorized area, the youth shall be placed back in the EMP. If warranted, following a multidisciplinary treatment team staffing within 24 hours of the violation, the youth shall be placed in the “Victory Treatment Unit” (VTU).
- F. Code of Conduct Violations and Response by Staff

In keeping with public safety and the credibility of the EMP, immediate detection of and response to any indication by the device that a youth is out of a prescribed area and/or has made an attempt to tamper with, disengage or destroy the security device must be addressed immediately by following the procedures outlined in Section VII E and F below.

Examples of Code of Conduct Violations (refer to YS Policy No. B.5.1) include the following:

1. Tampering with or cutting off the band in an attempt to leave the sight of the staff (*COC Violation #9 – “Tampering with Security Devices”*);
2. Leaving the prescribed area designated by the system in an attempt to leave the sight of staff (*COC Violation #1 – “Aggravated/Unauthorized Area”*);
3. Being out of range of the designated area within the sight of staff, and depending on the number of times and the length of time the youth remains out of the designated area (*COC Violation #1*); etc.

E. EMP System Alerts

When the system is activated due to a violation, the following steps shall occur:

1. The Control Center staff and the vendor shall be immediately notified via telephone, with simultaneous e-mail notifications to the Facility Director, Deputy Director, Assistant Director, and appropriate Regional Director.
2. Control Center staff shall be responsible for issuing an immediate radio alert to all appropriate facility staff as to the identity of the youth and the area where the violation was indicated.
3. All efforts shall be made to detect the cause of the system alert and to prevent an escape if a youth is out of the designated area.
4. Once the alert has been resolved, the Control Center staff shall notify the Facility Director, Deputy Director, Assistant Director, and appropriate Regional Director of the results of the alert
5. All staff responding directly involved, or having firsthand knowledge of the incident shall complete an “Unusual Occurrence Report” (UOR) prior to the end of their tour of duty relative to such an incident.

- F.** Depending on the reason for the alert, a multidisciplinary treatment team staffing shall be held within 24 hours of a “Code of Conduct Violation” to consider the youth’s possible placement in the VTU. If it is determined the youth is a threat to the security of the facility and a significant escape risk, a “Victory Treatment Unit Admissions Review Form” shall be completed in JETS, pursuant to YS Policy No. B.2.8.

In addition, any possible negative affects this action shall have on the youth's custody level or eligibility for future furloughs and/or escorted absences, participation in the post-secondary educational and skills based incentive program, or early release shall be discussed during the staffing (refer to YS Policy Nos. B.7.2, B.2.13 and C.4.1).

VIII. DOCUMENTED EMP MONITOR CHECKS:

- A. EMP monitor checks to ensure the equipment is in working order shall be conducted by trained staff. Control Center staff shall be notified and the information shall be documented in the designated EMP log book.
- B. EMP monitor checks revealing that the equipment is not in working order shall be communicated immediately to the Control Center staff. The monitor shall be checked by trained staff and replaced if necessary.

IX. INVENTORY, STORAGE AND MAINTENANCE OF EMP DEVICES:

- A. EMP devices shall be stored in the Control Center at each secure care facility with an up to date inventory record maintained at all times.
- B. Each facility's "Standard Operating Procedures" (SOPs) on inventory, storage, and maintenance of EMP devices shall include the specific guidelines outlined below:
 - 1. Each EMP device shall include a unique identifying number.
 - 2. An inventory logbook shall be maintained at the EMP storage site, indicating each EMP device's unique identifying number.
 - 3. Control Center staff responsible for EMP devices shall make a log entry at the beginning of each shift indicating the number of devices present and the condition of the devices (are the devices in good working order).
 - 4. When an EMP device is removed/checked out from the Control Center storage site, the staff member checking out the device shall record the following information in a separate logbook designated for EMP device usage:
 - a. Date and time of removal;
 - b. Name of person authorizing the removal;

- c. Name of person removing the device;
- d. Identifying number;
- e. Reason for the removal and expected time frame of use;
- f. Date and time the device was returned; and
- g. Whether the device returned was in good working condition.

X. STAFF DEVELOPMENT:

- A. Facility Directors, Deputy Directors, Assistant Directors, Regional Directors, and all Control Center Staff shall be required to complete the Total Access Training.
- B. New secure care Control Center staff hired shall be required to attend the EMP training prior to assuming any EMP related duties.
- C. Training notifications from the vendor via Webinars shall be attended by facility staff designated by the Facility Director, to include the Control Center staff.
- D. All training shall be documented and forwarded to the facility's Staff Development Training Specialist for input into TREC.

YS Policy No. A.2.24 contains information about the level and amount of training needed based on the employee's job assignment and responsibilities.

Previous Regulation/Policy Number: C.2.24
Previous Effective Date: 02/18/2013
Attachments/References: